

REMARKS

This document is in response to that Office Action dated April 21, 2005. The Office Action objected to certain aspects of the drawings, certain amendments to the specification, and certain claims, all based on 35 U.S.C. §132 and 35 U.S.C. §112. Each of the objections and rejections are addressed below.

Information Disclosure Statement

Applicant appreciates the Examiner's comments regarding references in the specification. By Information Disclosure Statement accompanying this response, Applicant has cited additional references, including that reference (U.S. 5,839,704) mentioned in the specification. Applicant requests consideration of all references and respectfully requests that each reference on the accompanying Form PTO/SB/08A be initialed as having been considered by the Examiner.

The Issue of "New Matter"

The Office Action has objected to drawing figures 7 and 8, which were introduced by the previous response. The Action determines that these new drawing figures 7 and 8 contain "new matter", including details of the "plug-in belt blow *[sic]*" and the "base stand", which the Office Action states were not previously disclosed. Applicant traverses this finding of new matter. Applicant believes that all elements shown in Figs. 7 and 8 have been previously disclosed in the original specification¹. Nonetheless, Applicant has chosen to and does hereby cancel Fig. 8 and the reference added to page 4 which briefly describes Fig. 8. That is, Applicant has chosen to delete the drawing figure directed to the "base stand".

Applicant strongly submits that the "plug-in belt bow" is properly and adequately disclosed within the original specification and Applicant chooses to retain Fig. 7 and claims (4 and 15) directed to the feature of the "plug-in belt bow". In description originally found on page 3 (lines 5-9) of the original specification, it is submitted, the plug-in belt bow is explicitly described in sufficient detail for one skilled in the art to understand the feature and to support the drawing of Fig. 7. By the present amendment, Applicant has amended page 7 of the specification to substantially repeat the language from page 3, lines 5-9, and to tie such language to drawing Fig. 7

¹ In prior Remarks (found in document entitled "First Amendment and Response" filed November 23, 2004 and again on January 7, 2005), the undersigned notes a typographical error on page 13, second paragraph, last line. It was the undersigned's intention to say "...that no new matter has been introduced." The original, erroneous text

Applicant respectfully requests that Fig. 7 and the text amendment be accepted.

Regarding the Drawings

Fig. 7 and 8 have been objected to in the Office Action. As mentioned above, by this Amendment, Fig. 8 has been canceled without prejudice. Fig. 7 is argued above to be appropriate, and its acceptance is courteously requested.

Regarding the Drawings

The Office Action points out that reference character “24” has been used to designate both the “holding element” and the “connection plate”. This objection appears to be unfounded, since amendments to both the specification text and the drawing figures were submitted with the previous response to the previous Office Action. In those previous responses, the reference numeral associated with the connection plate was changed in both the text and the drawings to the numeral “25”. Applicant courteously requests that this objection be withdrawn.

Objection was made in the outstanding Office Action to Fig. 6, indicating that reference numeral “38” is directed to the wrong element. In response to this objection, a “replacement sheet” for Fig. 6 has been submitted herewith, correcting the erroneous reference line.

The Office Action requires that the device in Fig. 5 should be shown as being threaded. Applicant submits that the device in Fig. 5 should not be shown as threaded (as can be seen from the originally filed photograph). Rather, the species depicted in Fig. 5 is internally threaded (see specification page 7, lines 13-14), so threading would not be seen in the figure. Therefore, Applicant submits that an amendment to Fig. 5 is not required.

Regarding Claim Objections

Claim 1 has been amended to adopt the changed claim language as recommended by the Office Action. Therefore, Claim 1 is submitted to be now in condition for allowance.

Claims 4, 5, 9, 15, 16 and 20 were objected to under 35 U.S.C. §112 as being non-enabling. Please refer to the remarks previously made in connection with the “new matter” objection. In order to overcome this rejection and to move the application to allowance, Applicant has chosen to cancel claims 5, 9, 16 and 20, thereby rendering the rejection of these claims moot. However, Applicant argues that claims 4 and 15 are enabled by the disclosure as

which stated “that new matter has been introduced” is hereby corrected and clarified. It is Applicant’s position that no new matter is introduced by figures 7 and 8.

originally presented and respectfully requests that the rejection of claims 4 and 15 be withdrawn. Please refer to the previous remarks.

Claims 12-22 were objected to under 35 U.S.C. §112. The claim recitation "a basic body and a connection plate" was objected to as being unclear. Applicant has chosen to amend claim 12 by using the recitation "a basic body to which are attached a connection plate, an upper handle and a lower handle,". Applicant respectfully submits that this language is clear and definite. As such, Applicant requests that the rejection of claim 12 be withdrawn.

Claims 13, 14 and 17 were rejected because of insufficient antecedent basis. Claims 13, 14 and 17 have been amended to change the phrase "pin extension" to read --threaded extension-. In light of this amendment, Applicant submits that the rejection is overcome and courteously requests that claims 13, 14 and 17 be indicated as allowable.

CONCLUSION

In light of the above amendments and remarks, Applicant submits that all of now pending claims 1-4, 6-8, 10-15, 17-19, 21 and 22 are now in condition for allowance. It is courteously requested that all the foregoing amendments be accepted and that the pending claims receive and early notice of allowance.

Authorization

The Commissioner is hereby authorized to charge any additional fees that may be required for the timely consideration of this Amendment under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment, to Deposit Account No. 09-0528.

Respectfully submitted

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Date



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AMENDMENTS TO THE DRAWINGS

Please remove and cancel Fig. 8 from the drawings.

Please accept the attached “Replacement Sheet” for revisions to Fig. 7, and removal of sheet numbering.

Please accept the attached “Replacement Sheet” for revisions to Fig. 6, and removal of sheet numbering.

Please accept the attached “Replacement Sheets” for Figs. 1-4 for removal of sheet numbering.